

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1, 6, 10, 11, 23, 26 and 28 are presently pending, with claims 2 - 5, 7 - 9, 12 - 22, 24, 25 and 27 having previously been canceled. Applicants amend claims 1, 6, 23, 26 and 28, and add new claims 29 - 33. No new matter is introduced. Support for the amendments may be found, for example, with reference to Applicants' specification at page 12, line 17 through page 13, line 2; and page 15, line 1 through page 18, line 16.

II. Objection to Claim

Claim 1 is objected to as to informalities. Specifically, the Examiner suggests that the term "a surface side sheet configured contacting a body" is unclear. Applicants amend this term to read "a surface side sheet configured for contacting a body" (emphasis added), and submit that the claim term as amended is clear.

Therefore, Applicants respectfully request that the objection to claim 1 be withdrawn.

III. Rejections under 35 U.S.C. § 103

Claims 1, 6, 23, 26 and 28 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over European Patent Publication 0888764 to Wierlacher ("Wierlacher") in view of U.S. Patent No. 5,885,265 to Osborn, III et al. ("Osborn"). Claims 10 and 11 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Wierlacher in view of Osborn and International Patent Publication No.

WO 99/26573, to Osborn, III ("Osborn II"). Applicants respectfully traverse the rejections of claims 1, 6, 10, 11, 23 26 and 28 under 35 U.S.C. § 103 (a).

In amended independent claim 1, Applicants claim:

1. An interlabial pad comprising:

an absorbent body for absorbing liquid;

a surface side sheet having a permeable property for liquids, being configured for contacting a body, and covering a first face side of the absorbent body;

a back face side sheet formed by a plurality of sheet pieces that contact a second face side of the absorbent body opposite to the first face side;

a junction joining the surface side sheet and the back face side sheet at a peripheral edge of the absorbent body, the absorbent body being enclosed thereby between the surface side sheet and the back face side sheet;

a mini-sheet piece formed of either a water disintegrable material or a biodegradable material, the mini-sheet piece being adhered to the back face side sheet at the junction joining the surface side sheet and the back face side sheet, forming a pocket between the mini-sheet piece and the back face side sheet, wherein a finger of a user may be inserted into the pocket; and

one or more seam parts that are either water disintegrable or biodegradable, the one or more seam parts extending from 5 to 15 mm between edges of overlapping portions of the plurality of sheet pieces, wherein:

pairs of the plurality of sheet pieces are only partially overlapping at the overlapping portions, and

at least one of the one or more seam parts comprises a longitudinal seam part extending linearly along a longitudinal central line of the interlabial pad between longitudinal ends of the absorbent body.

(Emphasis added).

Wierlacher discloses a disposable absorbent article having a handling aid (see, e.g., abstract of Wierlacher). With reference to FIGs. 5A and 5B of Wierlacher, the Examiner suggests that Wierlacher discloses Applicants' claimed plurality of overlapping sheet pieces forming at least one seam part:

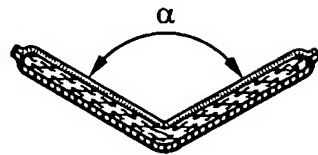


Fig. 5a

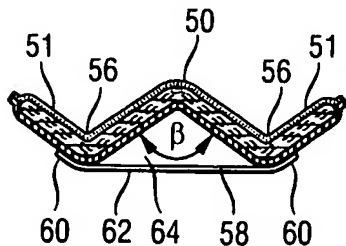


Fig. 5b

The Examiner makes further reference to Col. 10: 14 – 18 of Wierlacher, which provides:

The backsheet 23 can thus comprise a woven or nonwoven material, polymeric films such as thermoplastic films of polyethylene or polypropylene, or composite materials such as a film-coated nonwoven material.

It appears that the Examiner's argument includes one or more of the following components:

a) that the backsheet 23 may comprise multiple material layers that are overlapping (based on Col. 10: 14 – 18 of Wierlacher), and b) that the intermediate portion 62 of Wierlacher overlaps the backsheet 23 at the ends 60 (based on FIG. 5B of Wierlacher).

Applicants respectfully disagree with the Examiner's apparent argument a).

Col. 10: 14 – 18 of Wierlacher does not provide support for the proposition that the backsheet 23 of Wierlacher includes multiple overlapping material layers. Rather, it simply indicates that the backsheet 23 may include one of a variety of different materials. Even assuming *arguendo* that the Examiner's proposition may be accepted, and in sharp contrast to Applicants' invention as claimed in amended independent claim 1, the multiple backsheet layers suggested by

Wierlacher would not comprise a plurality of sheet pieces are only partially overlapping at the overlapping portions. Rather, the suggested overlapping layers would extend fully over the backsheet 23, and therefore be fully overlapping.

Applicants also respectfully disagree with the Examiner's apparent argument b).

While the backsheet 23 arguably only partially overlaps the intermediate portion 62 of Wierlacher, this overlapping portion does not define a longitudinal seam part extending linearly along a longitudinal central line of the interlabial pad. Rather the region of overlap between the backsheet 23 and the intermediate portion 62 of Wierlacher extends laterally across the pad. These deficiencies as to Wierlacher are not overcome with the addition of any of the other cited references.

Applicants respectfully submit therefore that amended independent claim 1 is not obvious in view of the cited references and stands in condition for allowance. As claims 6, 10, 11, 23, 26 and 28 each depend either directly or indirectly from allowable independent claim 1, Applicants further submit that dependent claims 6, 10, 11, 23, 26 and 28 are also allowable for at least this reason.

Accordingly, Applicants respectfully request that the rejections of claims 1, 6, 10, 11, 23, 26 and 28 under 35 U.S.C. § 103 (a) be withdrawn.

IV. New Claims

Applicants add new claims 29 – 33. As each of new claims 29 – 33 depends either directly or indirectly from allowable independent claim 1, Applicants submit that new claims 29 – 33 are also allowable for at least this reason.

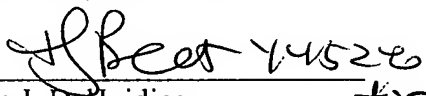
CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment

Dated: October 19, 2009

Respectfully submitted,

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